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XMS-102 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:	
P. KESLING ET AL.	
Serial No.: 09/867,687	**Art Unit: 2684**
Filed: May 31, 2001	**Examiner: DEAN, Raymond S.**
For: SYSTEM AND METHOD FOR MOBILE COMMERCE	

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the provisions of 35 U.S.C. §134 and C.F.R. §1.192(a), Appellants submit this Appeal Brief to appeal the Examiner's final rejection of claims 1-19 in the Official Action mailed January 18, 2005.

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I. REAL PARTY IN INTEREST

The named inventor has assigned all ownership rights in the pending application to XM Satellite Radio, 1500 Eckington Place, NE, Washington DC, 20002-2194, which is the real party in interest.

II. RELATED APPEALS AND INTERFERENCES

The appellants, their legal representatives , and the assignee are not aware of any other pending appeals or interferences which will directly affect or be directly affected by, or have a bearing on the Board's decision in this appeal.

III. STATUS OF THE CLAIMS

Claims 1-19 are currently pending in this application and claims 20-72 have been canceled without prejudice or disclaimer to the subject matter thereof. Claims 1-19 stand rejected. The rejection of claims 1-19 is being appealed.

IV. STATUS OF AMENDMENTS

No claim amendments have been made in this application in response to either Office Action. Thus, the original status of the claims in this application is as set forth above and in Appendix A.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to methods for charging advertising fees as well as evaluating the success of advertisements. The methods recited in independent claims 1, 6, 11, and 18 relate to broadcasting an advertisement and receiving feedback from consumers/listeners via electronic indications after the user has observed the advertisement, thus allowing interactive feedback to broadcast advertising. Exemplary embodiments detailing user feedback utilizing

electronic indications is described at least in paragraphs 0036-0065 of the specification, which also reference Figs. 3-6. The description of utilizing the above-described user interaction to charge advertising fees appears in paragraphs 0075-0090, which also refer to Figs. 3-6.

Specifically regarding claim 1, this claim relates to a method for charging advertising fees based upon electronic indications received from users who observe or otherwise encounter the broadcast advertisement.

Claim 6 relates to a method for evaluating the effectiveness of a broadcast advertisement whereby the electronic indications received for each of a pair of advertisements are compared to determine which advertisement is more effective.

Claim 11 relates to a method for charging advertising fees whereby a unique identifier is broadcast with the advertisement and the unique identifier is then recorded in memory to indicate a user's interest in the advertisement. The unique identifier is then transferred to a central hub which then charges a sponsor of the advertisement each time the identifier is downloaded to the hub.

Claim 18 also relates to a method for charging advertising fees involving broadcast of a unique program identifier with the broadcast advertisement, receiving a wireless order message that references the unique program identifier and then charging a fee each time a wireless order message is received that references the unique program identifier.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-19 are pending in the present application. Claims 1-3, 5, 18, and 19 stand rejected under 35 USC §103(a) as being unpatentable over Noreen et al. (U.S. Patent No. 5,303,393) in view of Logan et al. (U.S. Patent No. 6,199,076); claim 4 stands rejected under 35

USC § 103(a) as being unpatentable over Noreen et al. in view of Logan et al. and further in view of Crosby et al. (U.S. Patent No. 6,628,928); claims 6-10 stand rejected under 35 USC § 103(a) as being unpatentable over Noreen et al. in view of Parrella et al. (U.S. Patent No. 6,507,764); and claims 11-17 stand rejected under 35 USC § 103(a) as being unpatentable over Noreen et al. in view of Steele et al. (U.S. Published Patent Application No. 2002/0046084 A1) and further in view of Crosby et al. and Logan et al.

VII. ARGUMENT

A. Introduction

The present application discloses methods for charging advertising fees in an interactive broadcasting environment, in general, with specifically embodied, but not limiting, examples in the satellite radio broadcast realm. More specifically, the present invention concerns utilizing interactive broadcasting to allow an entity to receive real-time feedback regarding the success of advertising and subsequently using that feedback to compare various advertisements to one another. While Applicants agree that the general concept of interactive advertising is taught by Noreen, Applicants submit that the concepts of charging advertising fees and assessing advertisement success based upon the quantity of electronic indications received cannot be obtained from the combination of Noreen with any of the cited references as asserted by the Examiner.

B. The § 103 Rejection of Claims 1-3, 5, 18, and 19 as Unpatentable over Noreen and Logan Is Improper

1. The Combination of Noreen and Logan Does Not Result in the Claimed Invention

Regarding the rejection of independent claims 1 and 18 and their respective dependent claims 2, 3, 5, and 19, Applicants assert that the suggested combination of Logan and Noreen cannot result in the claimed method of claims 1 and 18. The Examiner attempts to argue that Logan teaches an advertising fee charging scheme similar to that recited claims 1 and 18. This argument, however, is not supported by the disclosure of Logan. Logan teaches a method of providing content to a user that is pre-selected by the user or based upon preferences submitted by the user. (Logan, col. 2, lines 6-10.) Along with that content, advertisements can be sent to that specific user based on the user's preferences. (Logan, col. 8, lines 20-24.)

The user obtains a benefit by choosing to listen to advertising in the form of reduced fees for using the programming service offered by Logan. (Logan, col. 11, lines 22-28.) The user may choose to listen to an entire advertisement or may skip past any advertisement if the user is not interested in the content of the advertisement. (Logan, col. 8, lines 57-61). The system of Logan then charges the advertiser a royalty fee based upon the number of times a specific advertisement is listened to, or possibly by a total amount of play time. (Logan, col. 21, lines 25-60.) In any event, such advertising is linked to program content or other user preferences and is only offered to that particular user, i.e., it is not "broadcast."

a. The Logan Reference Does Not Involve the Claimed Broadcasting

The method of claim 1 includes, *inter alia*, "broadcasting an advertisement for a sponsor in a broadcast." Broadcasting, as defined in Webster's II New College dictionary, defines broadcast as: 1. to transmit a radio or television program; and 2. to make known over a wide area. The term "broadcast," as used in Applicants' invention, is intended to refer to

programming selected by the content provider and broadcast for simultaneous play to a number of users who all receive the same programming.

Contrary to the Examiner's position regarding the Logan reference, Logan does not involve "broadcasting" as defined in Webster's nor as intended by Applicants. Logan's programming, including advertising, is selected by a user and the particular content is played only for that user. All possible content is resident somewhere within the system and is selected individually for downloading and/or playback by the user. Logan teaches posting content and delivering it to individual users, but the system itself does not select content and *broadcast* that same content to all of the users of the system.

The entire system of Logan is based upon built-in user interaction with a download service via the Internet. An administrator of this type of content delivery does not encounter the same kind of problems associated with assessing advertising fees in the broadcast environment. Logan further teaches that advertising is then linked to programming based upon content matches between the programming and the advertising to better target advertising to users who may be interested.

In fact, Logan specifically states that its system of providing programming content over the internet is an improvement over broadcast radio because of the fact that a user listening to broadcast radio does not have the ability to select specific content and is bound by the content broadcast by a specific broadcaster. *See* Logan et al., col. 1, lines 16-30. Accordingly, Logan's user-specific programming deals with an entirely different realm of providing content. Logan's

users select specific content and advertising in advance and that advance selection provides a basis for charging an advertising fee.

The present method involves interactive broadcasting allowing users to indicate interest in a specific advertisement or product after *observing* the advertisement, and then charging the advertiser a fee based upon an actual indication of advertisement success (e.g., claim 1 recites "broadcasting an advertisement" that "includes an identifier," "receiving a quantity of electronic indications...that reference the identifier," and "charging the sponsor a fee based on the quantity of indications that are received."). Thus, the two methods simply do not equate and therefore, one of ordinary skill in the art would never obtain the claimed invention (as recited in claims 1 and 18) even if Logan were combined with Noreen as suggested in the final rejection.

b. Logan Does Not Charge Fees Based on the Claimed Electronic Indications

Assuming, *arguendo*, that Logan's programming format could be considered to be broadcast, there still is no broadcast of "an identifier that uniquely identifies the advertisement" nor receipt of "a quantity of electronic indications from persons who observe the advertisement, wherein the indications indicate interest in the product, and wherein the indications reference the identifier," as recited in claim 1. Logan merely teaches charging a fee based on selection of the advertisement for play as well as possibly duration of play time for the advertisement. This content selection is made *before* the user ever "observes" the advertisement and provides no specific indication of interest in the product being advertised, because at the time of the selection, the user has not yet observed the advertisement to be able to develop an interest in whatever is being advertised.

Further, there is no reference in Logan to a user interaction with the broadcaster to reflect interest, as claimed, involving selection of an identifier. At most, Logan teaches charging advertising fees based upon a user selecting programming and possibly linking advertising based upon the programming content. Any electronic indication sent by the user of the system disclosed in Logan is a before-the-fact, general content decision, not an "electronic indication from persons who observe the advertisement" itself.

This deficiency in Logan highlights a significant aspect of the present invention over the prior art and one that Logan itself acknowledges, thus suggesting that Logan actually teaches away from the claimed invention. One drawback to broadcast advertising is that users have not previously been capable of interacting with advertising to show interest in a given advertisement or product being advertised. An entire industry has developed surrounding broadcast content (both television and radio) to assess user interest in broadcast programming and thus to charge advertising accordingly based upon peak exposure. Applicants' methods allow for broadcasters, and possibly more importantly advertisers, to get direct feedback regarding the broadcast advertisement, so that a fee can be assessed based on the success of the advertisement, not the success of the content. Even Logan suffers from this deficiency in that advertising fees are still tied to the program content.

Such information can also be useful to broadcasters, because if certain advertisements are not generating user interest, a broadcaster likely would want to remove the unsuccessful advertising just as much as it would desire to remove unsuccessful programming. Accordingly, there simply can be no charging of a fee for "for broadcasting...wherein the fee is based on the

quantity of indications that are received" when there is no broadcast in Logan as mentioned above, nor is there any quantity of indications being received in Logan by users who "observe" the advertisement.

As explained above, the combination of Noreen and Logan would not result in an advertising fee charging method as claimed because Logan does not charge based upon the type of electronic indication, as claimed in the present application. Logan charges fees based on an entirely different regime based on content selection. If the type of electronic indication is different, which Applicants assert it is, the fee cannot be charged "*based* on the quantity of indications" as claimed. Accordingly, claim 1 and its dependent claims 2, 3, and 5 are allowable over the cited art of record.

Claim 18 contains similar recitations regarding broadcasting and identifiers and, thus, for reasons similar those to those regarding claim 1, the combination of Logan and Noreen can not result in the invention recited in claim 18. It should be noted, moreover, that claim 18 also includes an even more specific type of electronic indication, namely a "wireless order message" for which there is no analog in Logan. Although Noreen teaches use of an order message, there is no discussion whatsoever of charging a fee based upon the number of order messages received. As explained above, because the fee charging method taught in Logan involves a very different kind of content providing environment, any combination of Noreen with Logan would not result in the method of claim 18.

Additionally, the Examiner originally asserted in the Office Action of May 13, 2004 that "Logan teaches charging the sponsor a fee for the wireless order message received to buy the

product of the sponsor" and referred to col. 21, lines 33-37, asserting that the royalty fee is the commission. Now, in the Final Office Action, the Examiner admits that this reference was mistaken and asserts that the advertising fee is the sponsor fee, allegedly discussed in the same passage. Either way, Applicant still respectfully disagrees with the Examiner's characterization as the advertising fee discussed in the cited passage has nothing to do with "charging the sponsor a fee for the wireless order message received to buy the product of the sponsor." The passage referenced by the Examiner deals with, as described above, charging a fee for playing of the adverdisement itself and is silent regarding any product order placed by a user. Accordingly, claim 18 and its dependent claim 19 are each allowable over the cited art of record.

2. There Is Insufficient Motivation to Combine Noreen with Logan

In addition to not resulting in the claimed invention, there also is no motivation to combine these two references in the first place. Although essentially intertwined with the argument above, Noreen and Logan involve disparate kinds of content providing environments. A problem with a system like Noreen and other broadcast environments, such as that related to the present invention, is the general lack of interaction between user and content provider. Such interaction is inherently built into a system as described in Logan and it is this very inherent interaction the Examiner erroneously equates to the claimed electronic indications claimed in claim 1.

In order to receive content as described in Logan, an Internet or otherwise network-based system a user must inform the system as to what content he/she desires. This built-in interaction allows for an advertising fee solution as described in Logan because information is already being

transmitted back and forth between the user and the content provider. But this fee solution is unrelated to the problem encountered with broadcast systems. In fact, Logan actually still suffers from the same deficiencies because it does not actually get feedback based on the advertisement itself, it only receives feedback on what type of content or category of advertisement a user desires.

Both Noreen and the present invention deal with an entirely different problem, namely the lack of interaction between the user and the content provider regarding a specific advertisement broadcast to users. As the Examiner has duly noted, Noreen is silent regarding charging of fees in a broadcast environment with the fairly new feature of interaction with the user. Because the broadcast environment deals with different issues than that of the system of Logan, and in fact Logan is also deficient in this same area, one of skill in the art would have no motivation to combine the fee system of Logan with the broadcast system of Noreen. Accordingly, the rejection must also fail for lack of proper motivation.

C. The § 103 Rejection of Claim 4 as Unpatentable over Noreen, Logan, and Crosby Fails for at Least the Same Reasons as the Rejection of Claim 1

Regarding the rejection of claim 4 as unpatentable in view of Noreen and Logan, further in view of Crosby, Crosby does not overcome any of the deficiencies described above with respect to Noreen and Logan. Accordingly claim 4 is allowable for at least the same reasons as claim 1.

D. The § 103 Rejection of Claim 11 Fails for Similar Reasons as Those Related to Claims 1 and 18

Regarding the rejection of claims 11-17 as being unpatentable over the combination of Noreen, Steele, Logan and Crosby, Applicants assert that claim 11 contains similar limitations as claim 1 with respect to broadcasting of advertisements and charging of fees. Based upon similar argument as provided above with respect to claim 1, claim 11 is allowable over the asserted combination as none of Noreen, Crosby or Steele overcomes the above-described deficiencies associated with Logan.

E. The § 103 Rejection of Claims 6-10 as Unpatentable Over Noreen and Parrella is Improper Because the Asserted Combination Would Not Result in the Claimed Invention

Regarding the rejection of claims 6-10 as being unpatentable over Noreen in view of Parrella, Applicants respectfully disagree at least with the Examiner's characterization of the teachings of Parrella. The Examiner asserts that Parrella teaches comparing the first quantity of electronic indications with the second quantity of electronic indications and bases this assertion on the disclosure in col. 1, lines 60-67+ that refers to statistical profiles. Claim 6 specifically recites "receiving a first quantity of electronic indications from persons who observe the first advertisement" and "receiving a second quantity of electronic indications from persons who observe the second advertisement." Parrella teaches utilizing demographic data in the form of statistical profiles to allow advertisers to select appropriate time slots to reach the most desired target audience for that particular advertisement. (Parrella, col. 1, line 60 – col. 2, line 10.)

Parrella is silent regarding receiving indications from persons who observe the actual advertisement. The statistical profiles in Parrella merely comprise general data regarding

demographics of people who visit a venue (which in this case would be similar to having information regarding the typical listeners to a certain broadcast station as is one of the noted drawbacks of typical advertising fee systems), but is in no way linked to the specific advertisement and interest specifically generated by that advertisement and accounted for by the system. *Id.*

The Examiner argues in the Final Office Action on page 4 that the profiles are equivalent because "[t]he only way the interests of said persons can be determined is by causing said persons to generate responses related to their interests." To begin with, this statement is not accurate simply because the type of demographic information discussed in Parrella does not necessarily nor even likely have anything to do with user interest in an advertisement; it is merely generalized information about a class of users. For example, advertisers generally covet the 18-45 age range and attempt to advertise based upon placement within programming that appeals to that demographic. The advertisers never know anything specific about any individual viewer/listener interest in a specific advertisement based on this type of information.

Even if the Examiner's statement were true, the combination of Parrella with Noreen still would not result in the method of claim 6. Claim 6 recites a specific type of electronic indication from a user that "indicate interest in the first advertisement, and wherein the first quantity of electronic indications reference the first identifier." Similar language is included regarding the second advertisement. Even if the information of Parrella were gathered as suggested by the Examiner, there still is no link between the user and particular interest in the specific advertisement, nor is there any reference to an identifier. Parrella is at best a manner of targeting

advertising based on statistical profiles unrelated to any specific advertisement, but it certainly has nothing to do with the type of interest information recited in claim 6. Accordingly, claim 6 and its associated dependent claims are allowable over the cited art of record.

F. Conclusion

For all of the above reasons, it is respectfully asserted that the pending claims of the present application cannot be made obvious by the art of record because the combinations set forth by the Examiner do not result in the claimed invention. In addition, at least the combination of Noreen and Logan lacks proper motivation for combination of the references. Accordingly, the Board should be overturned the present rejections. Reversal of the outstanding rejections of record and allowance of the claims of this application is respectfully requested.

VIII. LISTING OF CLAIMS

(See Appendix A)

IX. EVIDENCE APPENDIX

(See Appendix B) - Webster's II New College Dictionary for definition of the term "broadcast."

X. RELATED PROCEEDINGS APPENDIX

(None.)

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Respectfully submitted,

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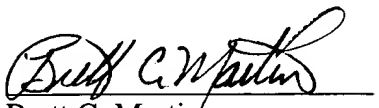
Date: June 15, 2005

By: 
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APPENDIX A

Listing of Claims:

1. (Original) A method for charging advertising fees, comprising the steps of:

(a) broadcasting an advertisement for a sponsor in a broadcast, wherein the broadcast includes an identifier that uniquely identifies the advertisement and at least one of the sponsor of the advertisement and a product advertised in the advertisement;

(b) receiving a quantity of electronic indications from persons who observe the advertisement, wherein the indications indicate interest in the product, and wherein the indications reference the identifier; and

(c) charging the sponsor a fee for broadcasting the advertisement, wherein the fee is based on the quantity of indications that are received.

2. (Original) The method of claim 1, wherein the identifier identifies a time at which and a channel on which the advertisement was broadcast.

3. (Original) The method of claim 1, wherein the step of receiving electronic indications comprises receiving one of wireless messages requesting more information about the product and wireless messages requesting to purchase the product.

4. (Original) The method of claim 1, wherein the step of receiving electronic indications comprises receiving downloads of the identifiers at a central hub.

5. (Original) The method of claim 1, wherein the step of broadcasting comprises broadcasting from at least one satellite.

6. (Original) A method for evaluating the effectiveness of two broadcast advertisements comprising the steps of:

(a) broadcasting a first advertisement including a first identifier;

(b) receiving a first quantity of electronic indications from persons who observe the first advertisement, wherein the first quantity of electronic indications indicate interest in the first advertisement, and wherein the first quantity of electronic indications reference the first identifier;

(c) broadcasting a second advertisement including a second identifier;

(d) receiving a second quantity of electronic indications from persons who observe the second advertisement, wherein the second quantity of electronic indications indicate interest in the second advertisement, and wherein the second quantity of electronic indications reference the second identifier; and

(e) comparing the first quantity with the second quantity.

7. (Original) The method of claim 6, wherein the first advertisement and the second advertisement are the same, and wherein the step of broadcasting the first advertisement occurs at a different time of day than the step of broadcasting the second advertisement.

8. (Original) The method of claim 6, wherein the first advertisement and the second advertisement are the same, and wherein the step of broadcasting the first advertisement occurs on a different channel than the step of broadcasting the second advertisement.

9. (Original) The method of claim 6, wherein the first advertisement and the second advertisement are different, wherein the first advertisement is broadcast at a particular time of day and on a certain channel, and wherein the second advertisement is broadcast at the particular time of day and on the certain channel.

10. (Original) The method of claim 6, wherein the step of broadcasting a first advertisement and the step of broadcasting a second advertisement comprise broadcasting from at least one satellite.

11. (Original) A method for charging advertising fees comprising the steps of:

(a) broadcasting an advertisement of a sponsor;

(b) broadcasting a unique program identifier with the advertisement;

(c) recording the unique program identifier in memory devices in response to users' indicating interest in the advertisement;

(d) downloading the unique program identifier from the memory devices to a central hub; and

(e) charging the sponsor for each unique program identifier that is downloaded.

12. (Original) The method of claim 11, wherein step (d) comprises downloading the unique program identifier from an embedded memory device to a portable device via one of a wireless and a temporary wired connection and employing the portable device to effect the downloading.

13. (Original) The method of claim 12, wherein the portable device is a personal digital assistant.

14. (Original) The method of claim 12, wherein the wireless link is one of an infrared link and a radio frequency link.

15. (Original) The method of claim 11, further comprising the steps of:

presenting a second advertisement of the sponsor on the central hub;

receiving click-through commands from users to activate the second advertisement;

launching an order screen of the second advertisement that presents a product for sale;

passing the unique program identifier to the order screen;

accepting an order for the product and associating the order with the unique program identifier; and

charging the sponsor a commission on the order.

16. (Original) The method of claim 11, further comprising the steps of:

presenting a second advertisement of a second sponsor on the web site;

receiving click-through commands from users to activate the second advertisement;

launching an order screen of the second advertisement that presents a product for sale;

passing the unique program identifier to the order screen;

accepting an order for the product and associating the order with the unique program identifier; and

charging the second sponsor a commission on the order.

17. (Original) The method of claim 11, wherein the step of broadcasting an advertisement and the step of broadcasting a unique program identifier comprise broadcasting from at least one satellite.

18. (Original) A method for charging advertising fees comprising the steps of:

(a) broadcasting an advertisement associated with a plurality of sponsors;

(b) broadcasting a unique program identifier with the advertisement;

(c) receiving a wireless order message to buy a product of a sponsor of the plurality of sponsors, wherein the wireless order message references the unique program identifier; and

(d) charging the sponsor a fee for the wireless order message received to buy the product of the sponsor.

19. (Original) The method of claim 18, wherein the step of broadcasting an advertisement and the step of broadcasting a unique program identifier comprise broadcasting from at least one satellite.

20-72. (Canceled)

APPENDIX B

Webster's II

New College Dictionary

Houghton Mifflin Company
Boston • New York

ISBN 0-395-96214-5

Library of Congress Cataloging-in-Publication Data

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broach¹ (brōch) *n.* [ME *broche* < OFr., spit.] **1. a.** A tapered tool for shaping or enlarging a hole. **b.** The hole made by a broach. **2.** A spit for roasting meat. **3.** A mason's narrow chisel. **4.** A tool for breaching casks. **5.** *var. of* BROOCH. —*vt.* **broached, broach·ing, broach·es. 1. a.** To bring up (a subject) for discussion : talk about. **b.** To announce <*broached* the vacation schedule> **2.** To pierce in order to draw off liquid <*broached* a cask of wine> **3.** To shape or enlarge (a hole) with a broach. **—broach'er** *n.*

broach² (brōch) *vi.* & *vt.* **broached, broach·ing, broach·es.** [Poss. < BROACH¹.] *Naut.* To veer or cause to veer broadside to the wind and waves <kept the yacht from *broaching* to>

broad (brôd) *adj.* **-er, -est.** [ME *brod* < OE *brād*.] **1.** Wide from side to side. **2.** Large in expanse : SPACIOUS. **3.** Clear and open <*broad* daylight> **4.** General in scope <a *broad* restriction> **5.** Tolerant or liberal. **6.** Main : essential. **7.** Apparent : obvious <a *broad* clue> **8.** Bordering on indelicacy : RISQUÉ. **9.** Heavily regional <a broad drawl> **10.** Indicating a vowel pronounced with the tongue placed low and flat and the oral cavity wide open, as the *a* in *bath* when pronounced like the *a* in *bard*. —*n.* **1.** A broad part. **2.** *Slang.* A woman or girl. **—broad'ly** *adv.* **—broad'ness** *n.*

★ *syns:* **1.** BROAD, WIDE *adj. core meaning* : extending from side to side over a large area <the *broad* shoulders of a fullback> *ant:* NARROW **2.** BROAD, AMPLE, EXPANSIVE, EXTENSIVE, SPACIOUS *adj. core meaning* : large in expanse <a broad, velvety lawn>

broad arrow *n.* **1.** An arrow with a wide, barbed head. **2.** A wide arrowhead mark identifying British government property.

broad·ax *also* **broad·axe** (brôd'ăks') *n.* A short-handled ax with a wide, flat head ; BATTLE-AX.

broad·band (brôd'bănd') *adj.* Of, having, or relating to a wide band of electromagnetic frequencies. **—broad'band'** *n.*

broad bean *n.* **1.** An Old World plant, *Vicia faba*, cultivated for its edible pods and seeds. **2.** The flattened seed of the broad bean.

broad·bill (brôd'bĭl') *n.* **1. a.** One of various birds of the family Eurylaimidae of Africa and tropical Asia, with brightly colored plumage and a short, wide bill. **b.** A broad-billed bird, as the shoveler. **2.** The swordfish.

broad·cast (brôd'kăst') *v.* **-cast** or **-cast·ed, -cast·ing, -casts.** —*vt.* **1.** To transmit (a program) by radio or television. **2.** To make known over a wide area <*broadcast* gossip> **3.** To throw (seed) about : SCATTER. —*vi.* **1.** To transmit a radio or television program. **2.** To participate in a radio or television program. —*n.* **1.** Transmission of a radio or television signal. **2.** A radio or television program. —*adj.* **1.** Scattered over a wide area. **2.** Of or relating to radio or television broadcasting. —*adv.* Over a wide area. **—broad'cast'er** *n.*

Broad-Church (brôd'chûrch') *adj.* Of or relating to members of the Anglican Communion in the late 19th cent. advocating liberalism of ritual and doctrine.

broad·cloth (brôd'klôth', -klŏth') *n.* **1.** A densely textured woolen cloth with a lustrous finish and a plain or twill weave. **2.** A closely woven cotton, silk, or synthetic fabric with a narrow crosswise rib.

broad·en (brôd'n) *vt.* & *vi.* **-ened, -en·ing, -ens.** To make or become broad or broader. **—broad'en·er** *n.*

broad gauge *n.* A railroad track wider than standard gauge.

broad-gauge (brôd'gāj') *adj.* **1.** Having a broad gauge. **2.** *Informal.* Having a wide scope : LIBERAL.

broad·head (brôd'hĕd') *n.* **1.** A steel arrowhead with usu. two sharp edges. **2.** An arrow with a broadhead.

broad jump *n.* A long jump.

broad·leaf (brôd'lēf') *n.* One of various tobacco plants with broad leaves. —*adj.* Broad-leaved.

broad-leaved (brôd'lēvd') *also* **broad-leafed** (-lēft') *adj.* Having broad leaves, as the rhododendron, rather than needles.

broad·loom (brôd'lōōm') *adj.* Woven on a wide loom. —*n.* A broadloom carpet.

broad-mind·ed (brôd'mīn'dĭd) *adj.* Liberal and tolerant. **—broad'mind'ed·ly** *adv.* **—broad'-mind'ed·ness** *n.*

broad·sheet (brôd'shēt') *n.* BROADSIDE 4.

broad·side (brôd'sīd') *n.* **1.** The side of a ship above the water line. **2. a.** All the guns on one side of a warship. **b.** The simultaneous discharge of all the guns on one side of a warship. **3.** An explosive verbal denunciation or attack. **4.** A large sheet of paper printed on one side. **5.** A broad unbroken surface. —*adv.* **1.** With the side turned to a given object. **2.** In a random manner.

broad-spec·trum (brôd'spĕk'trəm) *adj.* Effective against many microorganisms or insects <*broad-spectrum* antibiotics>

broad·sword (brôd'sôrd', -sōrd') *n.* A cutting sword with a wide blade.

broad-tail (brôd'tāl') *n.* **1.** The karakul. **2.** The black pelt of a prematurely born karakul sheep, with wavy markings and a flat surface.

Broad·way (brôd'wā') *n.* **1.** The principal theater district of New York City, located on or near Broadway, a Manhattan thoroughfare. **2.** The American legitimate stage <went from *Broadway* to motion pictures> —*adj.* Of, relating to, or produced on Broadway <a *Broadway* musical>

Brob·ding·nag·i·an (brŏb'ding-năg'ē-ən) *adj.* [After *Brobdingnag*, a country in *Gulliver's Travels* by Jonathan Swift (1667–1745), where everything was enormous.] Immense ; enormous.

bro·cade (brō-kād') *n.* [Sp. or Port. *brocado* < Ital. *broccato* < *brocco*, twisted thread < VLat. **brocca*, spike < Lat. *brocchus*, projecting tooth] A heavy fabric interwoven with a rich, raised design. **—cad·ed, -cad·ing, -cades.** To weave brocade.

broc·a·tel *also* **broc·a·telle** (brŏk'ə-tĕl') *n.* [Fr. *brocatelle*, Ital. *broccatello*, dim. of *broccato*, brocade.] A fabric resembling brocade but with a more highly raised design.

broc·co·li *also* **broc·o·li** (brŏk'ə-lē) *n.* [Ital., pl. of *broccolo*, cabbage top, dim. of *brocco*, shoot. —see BROCADE.] **1.** A plant, *Brassica oleracea italica*, closely related to the cauliflower, with a bud greenish flower head. **2.** The flower head of the broccoli, eaten as a vegetable before the tightly clustered green buds have opened.

bro·chette (brō-shĕt') *n.* [Fr. < OFr., dim. of *broche*, spit.] A skewer.

bro·chure (brō-shŏōr') *n.* [Fr. < *brocher*, to stitch < *broche*, sewing needle < OFr., spit.] A small booklet or pamphlet.

brock (brŏk) *n.* [ME < OE *broc*; of Celt. origin.] *Chiefly Brit.* A badger.

brock·et (brŏk'ĭt) *n.* [ME *broket* < OFr. *brocard* < *broque*, young horn, var. of *broche*, spit.] **1.** A two-year-old male red deer. **2.** Any of several small deer of the genus *Mazama* of South America, with short unbranched horns.

broc·o·li (brŏk'ə-lē) *n. var. of* BROCCOLI.

bro·gan (brō'gən) *n.* [Ir. Gael. *brógan*, dim. of *brog*, brogue.] A high-ankle-high work shoe.

brogue (brōg) *n.* [Ir. and Sc. Gael. *brog*, Old Ir. *bróc*, shoe.] **1. a.** A coarse heavy shoe, once worn in Scotland and Ireland. **b.** A strong oxford shoe, usu. with ornamental perforations. **2.** A strong dialectal accent, esp. a strong Irish accent.

broi·der (broi'dər) *vt.* **-dered, -der·ing, -ders.** *Obs.* To embroider. **—broi'der·y** (-də-rē) *n.*

broil¹ (broil) *v.* **broiled, broil·ing, broils.** [ME *broilen* < *brūlen*.] —*vt.* To cook by direct radiant heat, as over hot coals. To become boiled. —*n.* **1.** The act or state of broiling. **2.** Something that is broiled.

broil² (broil) *n.* [< obs. *broil*, to brawl < ME *broilen* < OFr. *brouiller*] A raucous quarrel : BRAWL. —*vi.* **broiled, broil·ing, broils.** To engage in a broil.

broil·er (broi'lər) *n.* **1.** One that broils. **2. a.** A small electric oven for broiling. **b.** The part of a stove used for broiling. **3.** A young chicken suitable for broiling.

broke (brōk) *adj.* [Alteration of BROKEN.] *Informal.* Completely without money ; POOR.

bro·ken (brō'kən) *adj.* [< p.part. of BREAK.] **1.** Forcibly fractured into pieces : SHATTERED. **2.** Not upheld : BREACHED <broken promise> **3.** Incomplete : fragmentary. **4.** Disorganized : routed <*broken* troops> **5.** Intermittently stopping and starting : DISCONTINUOUS. **6.** Varying abruptly, as in pitch <broken cries> **7.** Spoken or written imperfectly <*broken* Italian> **8.** Irregular and uneven <the *broken* lunar surface> **9.** Humbled : subdued. **10.** Tamed and trained. **11.** Exhausted : weakened. **12.** Crushed by grief <a *broken* will to live> **13.** Bankrupt. **14.** Not functioning : INOPERATIVE. **—bro'ken·ly** *adv.* **—bro'ken·ness** *n.*

bro·ken-down (brō'kən-doun') *adj.* **1.** Not in working order. **2.** In poor condition, as from old age : INFIRM.

bro·ken-heart·ed (brō'kən-här'tĭd) *adj.* Inconsolably sad.

broken home *n.* A family in which the parents are divorced or separated.

broken wind *n.* HEAVES 5.

bro·ker (brō'kər) *n.* [ME < AN *brocour*.] **1.** One that acts as an agent for others in negotiating contracts, purchases, or sales. **2.** A stockbroker.

bro·ker·age (brō'kər-ĭj) *n.* **1.** The business of a broker. **2.** A broker's commission paid to a broker.

brom- *pref. var. of* BROMO-.

bro·mate (brō'māt') *n.* A salt of bromic acid. —*vt.* **-mat·ed, -mat·ing, -mates. 1.** To treat (a substance) chemically with a bromate. **2.** To combine (a substance) chemically with bromine.

brome (brōm) *n.* [NLat. *Bromus*, genus name < Lat. *bromos*, oats < Gk.] A grass of the genus *Bromus*, with spikelets in loose, often drooping clusters.

brome grass *n.* Brome.

bro·me·li·ad (brō-mē'lē-ăd') *n.* [< NLat. *Bromelia*, type genus, after Olof *Bromelius* (1639–1705).] One of various mostly epiphytic plants of the family Bromeliaceae, including the pineapple, Spanish moss, and many species cultivated as house plants.

bro·mic acid (brō'mĭk) *n.* A corrosive, colorless liquid, HBrO₃, used to make pharmaceuticals and dyes.

bro·mide (brō'mīd') *n.* **1.** A binary compound of bromine. **2.** Any of various bromides. **3. a.** A worn-out notion or remark ; PLATITUDE. **b.** A wearisome person ; BORE. **—bro·mid'ic** (-mĭd'ĭk) *adj.*

▲ ***word history:*** Several bromine compounds, especially potassium bromide, have been used medicinally as sedatives. In 1906 Gelett Burgess wrote a book entitled *Are You a Bromide?* in which he used *bromide* to mean a tiresome person of unoriginal thought and con-